

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION**

**FRANK PIERSON,  
PLAINTIFF,**

V.

**SALLY BEAUTY SUPPLY, LLC,  
AND/OR  
SALLY BEAUTY HOLDINGS,  
INC., d/b/a SALLY BEAUTY  
SUPPLY,  
DEFENDANT.**

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**CASE NO. 4:21-CV-00691-ALM**

**THE PARTIES' RULE 41 STIPULATION OF DISMISSAL WITH PREJUDICE**

To the Honorable Judge of said Court:

Comes now all Parties to this Action, by and through his attorney or record, and files this their Rule 41 his Notice of Nonsuit with Prejudice, stating as follows:

**PROCEDURAL BACKGROUND**

1. This case was stayed by the Court on October 27, 2021, pending the arbitration of the matter (Dkt. 11). Prior to the Stay, Defendants had filed an answer.

2. The Parties respectfully report that they have resolved their dispute while it was within the arbitration forum, and that as a part of this resolution all matters between the Parties have been resolved between the Parties within the Arbitration Forum and without need of additional relief from this honorable Court.

**STIPULATED DISMISSAL WITH PREJUDICE**

Therefore, the Parties respectfully stipulate pursuant to Rule 41 of the Federal Rules of Civil Procedure, that this case and all claims and actual or potential counterclaims are dismissed with prejudice. Although this Stipulated Dismissal is otherwise self-executing under Rule 41, the

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Parties respectfully requests, if the Court deems it necessary or prudent, that the Court enter such other or further order or docket entry as necessary to close this case without the need of any additional relief in any form for either party.

RESPECTFULLY SUBMITTED,

*/s/ Eric N. Roberson*

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**ATTORNEYS FOR DEFENDANT**

**CERTIFICATE OF CONFERENCE AND STIPULATION**

The undersigned certifies that he has conferred with Defense Counsel by email, that a copy of this Document was provided therein, and that the Defendant agreed that the Plaintiff may file this document as a Stipulated Dismissal with the electronic signature of Defense Counsel affixed thereon.

*/s/ Eric N. Roberson*

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Eric Roberson

**CERTIFICATE OF SERVICE**

The undersigned certifies that all counsel of record will be served this document simultaneously upon filing by ECF.

*/s/ Eric N. Roberson*

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Eric Roberson